1 2 3 4 5 6 7 8 9 110 111	NICHOLAS A. TRUTANICH United States Attorney Steven W. Myhre Assistant United States Attorney 501 Las Vegas Boulevard South, Suite 1100 Las Vegas, Nevada 89101 Tel.: (702) 388-6336 steven.myhre@usdoj.gov Attorneys for the Plaintiff LAW OFFICE OF TELIA U. WILLIAMS Telia Mary U. Williams, Esq. 10161 Park Run Drive, Suite 150 Las Vegas, Nevada 89145 Tel.: (702) 835-6866 telia@telialaw.com Attorney for the Defendant, Latonia Smith		
12			
13	UNITED STATES DISTRICT COURT		
14	DISTRICT (OF NEVADA	
15	INITED STATES OF AMEDICA	Care No. 2:10 or 00204 DED EIV	
16	UNITED STATES OF AMERICA,	Case No. 2:19-cr-00304-RFB-EJY	
17	Plaintiff,	JOINT STIPULATION AND ORDER TO CONTINUE HEARING DATE	
18	vs.	(EID OF DEOLIEGE)	
19	LATONIA SMITH,	(FIRST REQUEST)	
20	Defendants.		
21			
22	IT IS HEREBY STIPULATED AND AGREED by and between Telia Mary U. Williams,		
23	Esq., counsel for the defendant, Latonia Smith, and Steven W. Myhre, Esq., Assistant United		
24	States Attorney, counsel for the United States of America, that the competency hearing that is		
25	currently scheduled for January 5, 2021 at 9:00am, be vacated and reset to a time no sooner than		
26	the second week of January, 2021.		
27	This Stipulation is entered into for the following reasons:		
28	1. Counsel for the Defendant was sug	pposed to have additional time to speak to Ms.	

1		Smith this week to prepare her f	for her hearing, but the Bureau of Prison facility	
2		was unable to facilitate a call this week, due to absences of staff for the holiday		
3		observance.		
4	2.	Counsel for the Government has	no objection to this continuance.	
5	3.	The Defendant is in custody, and	does not object to a brief continuance, preferably	
6		for the second week of January 2	2021.	
7	4.	Denial of this request for continu	uance would result in a miscarriage of justice. The	
8		additional time requested in this	stipulation is excludable in computing the time	
9		within which the trial in this man	tter must commence under the Speedy Trial Act,	
10		18 U.S.C. § 3161(h)(6) and (h)(7	7)(A), in light of the factors under 18 U.S.C. §	
11		3161(h)(7)(B)(i), (ii), and (iv).		
12	5.	For all the above-stated reasons,	the ends of justice would best be served by a	
13		continuance of the competency l	nearing.	
14	6. This is the first request for a continuance.			
15	DATED: December 23, 2020 LAW OFFICE OF TELIA U. WILLIAMS By: /s/ Telia Mary U. Williams		NICHOLAS A. TRUTANICH	
16			UNITED STATES ATTORNEY	
17			By: /s/ Steven W. Myhre	
18	Telia Mary U. Williams, Esq. 10161 Park Run Drive, Suite 150 Las Vegas, Nevada 89145 Tel.: (702) 835-6866 telia@telialaw.com Attorney for Defendant,		Steven W. Myhre, Esq. Assistant United States Attorney 501 Las Vegas Boulevard South, Suite 1100 Las Vegas, Nevada 89106 Tel.: (702) 388-6336 Attorney for Plaintiff	
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22	Latonia S			
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UNITED STATES DISTRICT COURT DISTRICT OF NEVADA

ORDER

UNITED STATES OF AMERICA,

Case No. 2:19-cr-00304-RFB-VCF

Plaintiff,

VS.

LATONIA SMITH,

Defendant.

FINDINGS OF FACT

Based on the Stipulation of counsel, and good cause appearing therefore, the court finds that the Stipulation by, between, and among the United States, and defendant Latonia Smith, is entered into for the following reasons:

- Counsel for the Defendant anticipated having additional time to speak to Ms.
 Smith this week to prepare her for her hearing, but the Bureau of Prison facility was unable to facilitate a call this week, due to absences of staff for the holiday observance.
- 2. Counsel for the Government has no objection to this continuance.
- 3. The Defendant is in custody, and does not object to a brief continuance, preferably for the second week of January 2021.
- 4. Denial of this request for continuance would result in a miscarriage of justice. The additional time requested in this stipulation is excludable in computing the time within which the trial in this matter must commence under the Speedy Trial Act, 18 U.S.C. § 3161(h)(6) and (h)(7)(A), in light of the factors under 18 U.S.C. § 3161(h)(7)(B)(i), (ii), and (iv).

1	5. For all the above-stated reasons, the ends of justice would best be served by a		
2	continuance of the competency hearing.		
3	6. This is the first request for a continuance.		
4			
5	<u>CONCLUSIONS OF LAW</u>		
6	Denial of this request for continuance would deny the defendant, the opportunity to		
7	adequately prepare for her competency hearing with her counsel.		
8	As such, denial of this request for continuance could result in a miscarriage of justice.		
9			
10	<u>ORDER</u>		
11	IT IS HEREBY ORDERED that the competency hearing currently scheduled for		
12			
13	January 5, 2021 at 9:00am, be continued to the <u>21st</u> day of <u>January 202 1</u> , at <u>2:00 PM</u> .		
14	All delay resulting from this continuance shall be, and is, excluded from the		
15	computation of time by which trial must commence under the Speedy Trial Act by virtue		
16	of Title 18, United States Code, Section 3161(h)(7)(A), the ends of justice outweighing the		
17	public's and the defendant's interest in a speedy trial when considering the factors set forth		
18	at Title 18, United States Code, Sections 3161(h)(7)(B)(i) through (iv).		
	IT IS SO ORDERED: this 28th day of December, 2020.		
20			
21	RICHARD F. BOULWARE II		
22	UNITED STATES DISTRICT JUDGE		
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